

Borough of Jefferson Hills
Agenda Meeting of Council
August 7, 2019

The agenda meeting of Council was called to order by Vice President Weber at 7:00 p.m. in the Municipal Center, 925 Old Clairton Road. Following the Pledge of Allegiance, Mayor Cmar and Council Members Ielase, Khalil, Montgomery, Reynolds, Sockman and Vice President Weber answered to roll call. Borough Manager Stinner, Finance Officer Bennett, Solicitor Shimko, Chief Roach, Borough Engineer Glister, Consulting Engineer Minsterman and Public Works Director Volpe were also present. President King was absent.

1. Pledge of Allegiance
2. Roll Call
3. Borough Resident/Taxpayer Comments
 - A) Linda Sue Boehmer, of 129 Cassia Drive, acknowledged she had received a property violation letter and claimed the Borough's investigation and regulation of her property violated her right to privacy on her property and freedom from unreasonable search and seizure.
 - B) David Oster, of 6009 Walton Road, stated, with the upcoming fall elections for Borough Council, there will be some major issues regarding the community center, the fire hall merger, fracking and UPMC and he feels the residents should be better informed of these issues. Mr. Oster asked for various items to be put online including slides from the community center presentation at the May 8 Borough Council meeting, information describing a merger of volunteer fire companies and the bylaws of the new fire organization. Mr. Bennett stated he believed the community center presentation slides were already on the Borough website. Vice President Weber stated Borough Council is not involved in the merger discussions; the fire companies are involved in those discussions and suggested Mr. Oster speak to the fire companies to get that information. Vice President Weber also noted the bylaws Mr. Oster seeks are not the Borough's Bylaws, but Mr. Oster may ask the fire companies for them.
4. Report from Borough Boards and Commissions
5. Motion to approve minutes of agenda meeting July 3, 2019
6. Motion to approve minutes of regular meeting July 8, 2019

Mr. Khalil indicated he would have a revision to the minutes, but wanted to listen to the recording of the meeting again to be sure his revision is accurate.

7. Motion to approve the monthly bills
8. Motion to approve the monthly payrolls

Vice President Weber requested that Council allow Agenda Item No. 27 to be moved up and discussed at this point so that Ms. Bucar did not have to wait until the end of the meeting.

27. Discuss applications received from Carol Ann Bucar and Rosanne Vario to join the Forward Township's Agricultural Security Area (ASA) Program

Mr. Sockman asked Ms. Bucar what the ASA Program was about. Ms. Bucar stated the ASA Program allows Ms. Bucar to have an agent come and talk to her to provide farming benefits including subsidizing electric fences, the free use of a no till grain drill and the sharing of knowledge between a network of farmers. Mr. Sockman asked why she needs Council's permission to join the ASA. Ms. Bucar indicated it is required by the Forward Township ASA for the Borough of Jefferson Hills to sign off on the application and provide a resolution. Alexandra McCluskey, an attorney representing Ms. Bucar, indicated the ASA Program is through the Department of Agriculture and, under the law, joining the program has to be approved by the municipality where the farm is located in order to be sure the farm's inclusion is consistent with the municipality's comprehensive plan. Mr. Montgomery asked whether Ms. Bucar is asking the Borough to certify her property as an active farm. Ms. McCluskey responded yes. Ms. Bucar replied she wants to be recognized as the farmer that she is. Mr. Montgomery asked what the resolution needs to state. Ms. McCluskey responded the resolution needs to state that her property is zoned for agricultural use and it is consistent with the Borough's planning. Vice President Weber stated it was difficult to get information online about the ASA and wanted to know if there were any tax implications regarding this program. Ms. McCluskey stated there are no tax implications and the only implications on the municipal realm would be protection from certain local ordinances and nuisance lawsuits that affect normal farming activities. Vice President Weber asked if it was Council's desire to put Ms. Bucar's resolution on the Agenda for Monday. It was the consensus of Council to do so.

9. Motion to enact Ordinance No. 877 accepting Hunters Field Circle and Labrador Lane in Phase 5 and Spaniel Lane in Phase 6a of the Hunters Field Plan of Lots as public streets of the Borough of Jefferson Hills; further accepting the infrastructures of storm and sanitary sewers serving said streets, with the exception of any Phase 5 and/or 6a (1) stormwater detention pond, and (2) storm sewer-related improvement within a (a) stormwater detention pond, and/or (b) private stormwater easement as depicted on the recorded plans for Phases 5 and 6a which shall be owned and maintained by the homeowners' association; and authorizing the appropriate officials of the Borough of Jefferson Hills to execute any and all documents necessary to approve such acceptance and dedication

Mr. Khalil asked to confirm if everything is in order. Mr. Glister replied everything is in order.

10. Motion to adopt Resolution No. 24-2019 granting modification request to Borough Subdivision and Land Development Ordinance Section(s) _____ and denying modification request to Section(s) _____ and preliminary approval to the land development plan known as SP-5-2019, Evolution Automation Land Development

Chris Eger of Evolution Automation Land Development stated it is planning a new building along Cochran Mill Road because it is rapidly outgrowing its current facility. Mr. Eger stated the first modification request is for a waiver to not require a sidewalk since it would be the only sidewalk in the vicinity and would end in a wooded area. The second modification request is to allow the final

application to be reviewed this month in order to keep the process moving forward. Mr. Khalil commented the sidewalk waiver makes perfect sense. Mr. Khalil stated, with respect to the second modification, Mr. Eger is not asking for a preliminary and a final approval at once, but just that the final application be in front of the Planning Commission by the end of August. Mr. Eger stated that was correct. Mr. Khalil asked Mr. Montgomery if this was something the Planning Commission discussed and would consider. Mr. Montgomery replied the Planning Commission tries to follow the ordinance which states the approvals are done separately. Mr. Shimko explained, effectively, if the applicant had to wait for a preliminary plan approval in August before submitting its final plan application, it would go on the agenda for the Planning Commission in September and not be back to Council until October at the earliest. Mr. Shimko continued to say the applicant is asking that the application be in front of the Planning Commission in August and potentially be back before Council in September. Mr. Shimko indicated, in order to do that, the Jefferson Hills Municipal Planning Code requires that there are special conditions that make enforcement of the ordinance an unnecessary hardship for the applicant. Mr. Eger commented his company has experienced a 300% (three hundred percent) growth and three (3) people need hired, but he does not have room for more employees. Mr. Sockman stated he thinks Mr. Eger has certainly suffered some hardships. It was the consensus of Council to revise the Draft resolution to grant both modifications and preliminary approval.

11. Motion to adopt Resolution No. 25-2019 granting preliminary and final approval to the subdivision plan known as S-6-2019, St. Moritz Subdivision

Richard Territ explained this is a simple subdivision of a piece of property into two (2) lots. Vice President Weber stated it appears as though the Planning Commission has recommended preliminary and final approval. Mr. Montgomery explained it is only splitting a lot into two (2) lots, which is a basic action that can be done in one step under the Subdivision and Land Development Ordinance.

12. Motion to adopt Resolution No. 26-2019 granting final approval to the subdivision plan known as S-7-2019, FVJM Partnership Subdivision
13. Motion to adopt Resolution No. 27-2019 granting final approval to the land development plan known as SP-8-2019, Beedle Park Concession Stand
14. Motion to adopt Resolution No. 28-2019 granting the Borough of Jefferson Hills permission to join the Congress of Neighboring Communities (“CONNECT”)

Mr. Khalil asked for an explanation of CONNECT and how it may benefit the Borough. Mr. Stinner indicated the focus of the organization is to find multi-municipal solutions to common problems. Mr. Stinner stated, initially, only the City of Pittsburgh and all first ring municipalities were included, but has expanded to municipalities that touch first ring municipalities as well. West Mifflin is a first ring municipality and Jefferson Hills shares a border with West Mifflin. Mr. Stinner expressed the organization offers training throughout the year, has monthly meetings where interested parties are brought in to talk about potential solutions and he finds it is a good source for information addressing problems at the municipal level. Mr. Khalil asked if there was a cost to the Borough. Mr. Stinner stated the cost is \$829 annually. Mr. Khalil commented he thought it made sense and sees no negative impact to joining. Mr. Montgomery commented at one of the SHACOG meetings he heard that this program is a way for the City of Pittsburgh to take control of the municipality and was told to stay away from it.

Mr. Stinner commented he could provide more information and Mr. Montgomery expressed he would like to have more information. Mr. Khalil asked if it was a one-year contract. Mr. Stinner replied it was a one-year, renewable contract. Vice President Weber indicated he did some research on CONNECT and found it to be a lot like a COG. He stated his reservation is that he does not want to see City of Pittsburgh centric ideology permeating into the suburbs and Mr. Stinner has said he does not see that happening. Vice President Weber mentioned he believed The Gateway Engineers is a sponsor of CONNECT. Mr. Minsterman stated The Gateway Engineers does support CONNECT, he attends its meetings and has not seen many meeting topics associated with the city. Mr. Minsterman said he thinks there is a good balance between urban and suburban issues. Mr. Minsterman indicated he does not think it is a bad idea for the Borough of Jefferson Hills to join CONNECT because he finds the topics very informative. Mr. Khalil asked if this should be put on the Agenda for Monday. Vice President Weber stated this can be kept on the Agenda for Monday and, if anyone feels there is still a need for more information, it can be tabled then.

15. Motion to approve Application for Payment No. 1 from Alex E. Paris Contracting Company in the amount of \$328,401.68 for work completed on the 2019 Road Program

Mr. Khalil commented he received a few calls from residents on Beams Run and they were elated by the work this company did.

16. Motion to approve Application for Payment No. 2 and Final from Geobuild, LLC in the amount of \$17,625.00 for work completed on the Waterman Road West Stabilization project
17. Motion to approve Application for Payment No. 1 from SHACOG for Select Contracting, LLC in the amount of \$17,685.00 for work completed on the Borough Building ADA Doors Project, subject to the receipt of an invoice from SHACOG
18. Motion to approve and execute Jefferson Hills/West Elizabeth Sewershed Act 537 Plan Capital Improvements Project Contract A Change Order No. 6 from Global Heavy Corporation in the amount of \$9,571.01 for additional costs for adding a pressure reducing valve, replacement of actuator and aeration unit

Mr. Khalil asked the purpose of the change order. Mr. Minsterman replied the first change was for the purchase and installation of a pressure reducing valve for the water line coming from PA American Water because the water pressure measured much higher than originally indicated by PA American Water. Mr. Minsterman stated another is a voltage and phase change on one of the pumps because it was single-phase and needed to be three-phase, which caused additional wiring costs. Mr. Minsterman indicated the biggest item was to automate the chemical feed pumps that add odorant and chlorine when needed, which would be less costly over time than manual operation.

19. Motion to authorize the execution of an administrative agreement with the South Hills Council of Governments concerning the SHACOG Joint O&M CCTV Inspection and Cleaning Project-Year 9

20. Motion to authorize the execution of an administrative agreement with the South Hills Council of Governments concerning the SHACOG Joint Municipal Sanitary Sewer Lining Project – Year 13
21. Motion to authorize the execution of an administrative agreement with the South Hills Council of Governments concerning the SHACOG Joint O&M Point Repair Project-Year 8
22. Motion to reject all bids received for the Beedle Park Concession Stand and Restroom project

Mrs. Reynolds expressed that she will be voting against this item.

23. Motion to award a bid for rock salt for the 2019-2020 winter season to Cargill, Inc. in the amount of \$82.24 per ton and authorize the appropriate Borough Officials to execute all necessary bid award documents
24. Motion to approve the eligibility list provided by Andrew Tomer, Jefferson 885 VFC Fire Chief, for the Volunteer Service Credit Program, calendar year 2018

Mr. Bennett indicated he provided an additional name to Council that was submitted by the Gill Hall VFC and Mr. Felix has certified for 2018. There was a consensus of Council to add this name for consideration. Mayor Cmar asked if anyone from Floreffe VFC applied. Don Withers, Floreffe VFC Fire Chief, commented from the audience this is something they must have missed. Mr. Khalil asked if a list of eligible firefighters could be provided for Council's review before Friday. Chief Withers stated he would do so. Mr. Montgomery commented he talked to some White Hall Councilmembers and found they give a higher reduction to more active firefighters. Vice President Weber stated this is the first year for the tax credit and adjustments may be made to it along the way, but please feel free to provide this information to Council to consider for possible future changes

25. Motion to issue a Request for Proposal (RFP) for a complete information technology overhaul in Borough Offices including: a new server; ten new computers for Borough Administration and Public Works; software licenses for each computer
26. Motion to issue a Request for Proposal (RFP) for a new Borough-wide telephone system which would include the system, all individual telephone units, and any new wiring IT equipment or to facilitate use
28. Reports

Don Withers, Floreffe VFC Fire Chief, reported:

- Thanked Council for the purchase of the extractor and washer and dryer.
- Responded to twenty-five (25) emergencies in July.
- More equipment and portable radios were updated last month.
- Jefferson 885 VFC had issues with their rescue truck and asked to borrow Floreffe VFC's backup engine. Chief Withers stated he spoke to Jay Girman and felt it to be in the Borough residents' best interest to lend Jefferson 885 VFC their good engine

and keep the backup for use at Floreffe VFC. Mr. Khalil thanked Chief Withers for loaning the engine out to Jefferson 885 VFC.

Brian Chalfant, Jefferson 885 VFC Assistant Fire Chief and President of Jefferson Fire and Rescue, reported:

- Reiterated that a rescue truck was borrowed from Floreffe VFC and thanked them for doing so.
- Responded to thirty-six (36) calls in July. Two (2) were water rescue details outside the Borough – one (1) in Pleasant Hills and one (1) in Turtle Creek.
- Through grants, a smaller rescue boat was able to be obtained and will be delivered on Monday.
- Passed Fish and Boat, Department of Health and State Fire Academy inspection and are waiting for the official letter stating they are a state certified.
- Through additional grants, more equipment will be purchased advancing them to a higher certification and opening up access to federal assets.
- Regarding the merger, an email was received approximately ten (10) days ago stating, as long as the paperwork was completed properly, the new organization will be 501(c)(3) within ninety (90) Days.

John Thatcher, of the VFC Task Force, reported:

- If it turns out there is any information that is not administratively complete on the 501(c)(3) application, it could be as much as one hundred eighty (180) days.
- He and Mr. Khalil met with Congressman Mike Doyle and he graciously agreed to see what he could do to help speed up the approval process for the 501(c)(3).

Engineer Glister reported:

- He received correspondence yesterday from SHACOG for CDBG Year 45 regarding funding to install two (2) ADA parking spaces and a sidewalk providing access to the amphitheater at 885 Park and requesting the specifications to be provided by September 11, 2019. Because of limited time, Mr. Glister asked for Council's approval to request a Work Authorization from The Gateway Engineers in order to have it on the Agenda for Monday. It was the consensus of Council to do so.
- Mr. Montgomery asked if there were any projects in mind for CDBG Year 46. Mr. Glister responded additional ADA parking at 885 Park, demolition of the Garage at the former Borough Building site and some house demolitions. Mr. Khalil asked about having the houses demolitions through volunteer fire company training. Mr. Glister said he spoke to Code Enforcement and asked them to watch for houses needing demolition that the volunteer fire companies could use.

Consulting Engineer Minsterman stated he had nothing to report.

- Vice President Weber asked about the Green Light Go project having additional funding available and if there were any more lights that could be replaced under this grant. Mr. Minsterman responded contacting PennDOT for a list of signals which they believe Jefferson Hills is responsible and getting any information from Council would be the start. That information would then be consolidated by Mr. Glistner, who would talk to the traffic engineer at The Gateway Engineers and see if there were any potential projects. Mr. Montgomery asked if new signals could be put in under this grant. Mr. Minsterman replied no, only signal replacements are eligible.

Finance Officer/Treasurer Mr. Bennett reported:

- Mr. Bennett spoke about the Annual Audit and Financial Report provided in Council's packet from Hosak, Specht, Muetzel & Wood LLP and indicated there would be a more formal explanation later in the year.
- The Liquid Fuels Audit letter stated there were no areas of concern.
- Mr. Khalil acknowledged everyone's efforts to control the costs for unrestricted funds. Mr. Khalil stated he believed there was a three (3) year schedule on the sewage fees. Mr. Bennett responded there was, but last year a hiatus was put on the fees because part of the rate structure included the potential bond issue of CMA work, which has yet to be done, but once that happens there will need to be rate increases.

Public Works Director Mr. Volpe stated he had nothing beyond his written report.

- Mr. Sockman asked for an evaluation of the summer help and how many workers there were this year. Mr. Volpe responded there are three (3) summer workers this year. Mr. Volpe stated a few applicants did not show up for work. Council increased the wages, but still no one applied. Vice President Weber suggested Mr. Volpe provide some creative solutions that might attract more applicants for next year.

Police Chief Roach reported:

- SHACOG testing is Saturday and there are only sixty-one (61) applicants this year, which is very disappointing.

Mayor Cmar reported:

- AARP Clairton Chapter would like to meet at Jefferson Hills starting in January and are willing to include Jefferson Hills in the name. Mayor Cmar is talking to Jane Milner about using the Community Room. Mr. Khalil asked how many members it has and Mayor Cmar replied eighty-five (85).
- She has heard complaints about the bridge on Gill Hall Road and the fact that it does not look like it will be open before school starts. Residents say the construction workers only work three (3) days a week. Mr. Volpe stated this was a PennDOT project and the bridge is supposed to be open by August 20.

Borough Manager Mr. Stinner stated he had nothing beyond his written report.

- Vice President Weber commented it was nice to have a written report from the Borough Manager.

Solicitor Shimko reported:

- The Borough received a Conditional Use Application for a billboard on Route 51 in front of Lolita's that was submitted on July 18 and the MPC requires Borough Council to commence a public hearing within 60 days of the application, which would be September 16. It was the consensus of Council to schedule a public hearing on September 4 at 6:00 p.m.

29. General Business

Mr. Montgomery noted the SHACOG meeting is in the Jefferson Hills Community Room on August 15 at 7:30.

Mr. Sockman:

- Thanked Mr. Minsterman for his efforts in working with West Elizabeth Sewer Authority on the Act 527 Plan.
- Congratulated the volunteer fire fighters that qualified for the volunteer service credit and thanked them for the effort and work they put into the community.
- Thanked Jane Milner for her work with the fantastic summer program she provides every year.
- Recommended cutting down the dead pine trees behind the Borough Building.

Mr. Khalil noted:

- He received an email from Mr. Thatcher concerning an invoice from the accountant, Eric Rossi, for work on the 501(c)(3) and would like the invoice to be paid from the Borough's funds or reimburse Jefferson Fire Rescue.

30. Adjournment

Vice President Weber adjourned the meeting at 9:02 p.m. with an executive session to follow from which Council would not return on motion by Mr. Khalil, seconded by Mrs. Ielase and carried unanimously.

31. Executive Session – Personnel, Collective Bargaining, Real Estate, Legally Privileged/Confidential and Litigation (*EQT Production Company and ET Blue Grass Clearing LLC v. Borough of Jefferson Hills*, Supreme Court of Pennsylvania, Docket No. 4 WAP 2018; *104 Residents of Jefferson Hills v. Mark Reis, Borough of Jefferson Hills Zoning Hearing Board*, Docket Number ZN-14-2018; *Peters Creek Sanitary Authority, et al. v. Clairton Municipal Authority*, Court of Common Pleas of

Allegheny County, GD-17-017711; *Jefferson Estates Homeowners Association v. Zokaites Properties*, Court of Common Pleas of Allegheny County, Docket No. GD-17-011526; *Bucar Landowner Curative Amendment*, Borough Council of the Borough of Jefferson Hills Public Hearing)

John P. Stinner
Secretary/Borough Manager